

## REMARKS

As set forth, Applicants have canceled claims 1-12 because they were drawn to a non-elected invention. In addition, Applicants added new dependent claims 15-16 directed to “a broadcast quality multi-window screen,” as described at p. 11, lines 1-25, for example, and throughout the specification.

Within the Office Action mailed July 1, 2005, claims 13-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kuwabara et al., U.S. Patent No. 5,909,439. After a careful review of the cited reference, Applicants respectfully request reconsideration in view of the following remarks.

Applicants submit, that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single ... reference.” (MPEP § 2131). Further, “[t]he identical invention must be shown in as complete detail as contained in the ... claims.” (MPEP § 2131). Applicants submit that Kuwabara does not teach the identical invention in as much detail as recited in the present claims.

Claim 13 includes “a network operations center creating national programming and multiplexing interactive programming to create a digital interactive streaming media.” The digital interactive streaming media includes use of moving image elements as described in the present application at least in Figures 2A and 2B and their corresponding descriptions (i) at p. 21, line 27 to p. 22 line 8, which describe the appearance of on-camera presenters during programming features in the main window and, hence describe a full motion video element that becomes part of the composite presentation, at (ii) p. 22, lines 24-30, which describe the capability to run live commercials, i.e., full motion video, in other windows of the multi-window display than the main window, at (iii) p. 23, lines 4-12, which describe another display window

66 used for Doppler radar display that is another form of full motion video, (iv) at p. 24, lines 15-20, which describe the playing of a video clip (i.e., full motion video) in a window after its selection by the viewer, and (v) at p. 24, lines 20-28, which describe the running of an informational video clip (i.e., full motion video) upon selection by the viewer of a logo presented in the display.

Applicants submit that Kuwabara does not teach an interactive information distribution system delivering digital interactive streaming media over a large geographic area that “provides different broadcast quality interactive programming to a plurality of remote locations within the geographic area,” and wherein the system includes “a network operations center creating national programming and multiplexing interactive programming to create a digital interactive streaming media,” and “a set top application system to develop the interactive programming to be displayed to viewers” as in claim 13.

Applicants submit that there are significant differences between the teachings of the Kuwabara patent and the present claims. Notably, Kuwabara’s system only deals with a single, full-screen moving image, on which additional, still-image information is overlaid for customization purposes, while the system of the current application can combine multiple moving images, in different ways on different portions of a viewer’s screen. Further, Kuwabara’s system combines the base video content with overlays in the set top terminal at the viewer’s location, while the system of the present application can perform the content combining operations external to the viewer’s location, thereby enabling more processing of the images than can be practically afforded in set top terminals.

In particular, differences between the teachings of the Kuwabara patent and the present claims come about from Kuwabara’s teachings regarding transmission of a conventional

television signal that includes an interactive page overlaid on the conventional tv signal. For example, a shopping program is transmitted as frames of data that comprise still photographic information (no full-motion video), which is then overlaid on the conventional tv signal. Kuwabara discloses that, when received at a set-top box satellite signal receiving terminal, the plurality of packets constituting a shopping service program is stored in a RAM and converted by a CPU into a packet that is a single arrangement of information units comprising *one screen view* to be displayed by the set-top box. Next, the shopping information such as “text data, still pictures and graphics” is synthesized as a single screen by a multimedia DEC within the set-top box. An MPEG-V DEC decodes the MPEG 2 moving image data and plays the TV broadcast program. (Col. 27, lines 34-46).

The limitation in the system of the Kuwabara patent to a single moving image with still information overlays is also evident from Figures 24 and 34 and the descriptions (i) at Col. 34, lines 17-20, where the data is described as being decoded into text, graphics, and still images, (ii) at Col. 35, line 34-51, where delivery and overlaying of street map information is described as still image information or graphics, (iii) at Col. 38, lines 22-26, where the assembly of a composite image is described as including the user’s name, a price, a photograph of the user, and similar still image elements or graphics superimposed on the background image, and (iv) at Col. 38, line 48-57, where “preparatory screens” are described as being used to permit scrolling between still image compositions that are assembled from elements downloaded from the satellite signal.

Moreover, this interpretation is underscored by the description in Kuwabara of the storage of shopping service data in set top box RAM, which is first searched for desired data before downloading more from the satellite. (See col. 29, line 26-40). Such data could not be

practically and economically stored in RAM in a consumer-priced set top box if the data were broadcast-quality video, i.e., if the data contained high quality moving images. Consequently, Applicants submit that Kuwabara does not teach “digital interactive streaming media,” as described in the present application and recited in claim 13.

In addition, within Applicant’s system, the “interactive programming” as recited in claim 13 includes raw data that is manipulated by a set top application system to produce “broadcast quality interactive programming.” The interactive media taught in Kuwabara is not a “broadcast quality” television program, as recited in claim 13, but rather still pictures overlaid on a TV program because the shopping program is transmitted as frames of data that comprise still photographic information (no full-motion video).

More particularly, Kuwabara teaches that layered shopping information comprises a group of data frames including text, still picture information, and audio, separately inserted into a multimedia packet as a single block of layered shopping information comprising a plurality of frames. (Col. 31, lines 4-14). A still frame is not broadcast quality. Broadcast quality describes media that includes full motion video suitable for display on a television, such as, for example, at 24 or 30 frames per second. As such, Kuwabara does not teach “digital interactive streaming media [that] provides different broadcast quality interactive programming,” as recited in claim 13.

Since Kuwabara does not teach all the limitations of claim 13, Kuwabara does not anticipate claims 13-14.

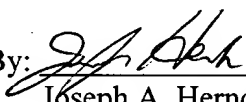
### **CONCLUSION**

Applicants respectfully submit that, in view of the remarks above, all of the pending claims are in condition for allowance. Applicants therefore respectfully request such action. The Examiner is invited to call the undersigned at (312) 913-3331 with any questions or comments.

Respectfully submitted,

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